

REMARKS

Favorable reconsideration and allowance of the subject application are respectfully requested. Claims 2, 4, 7, 8, 10, 30-32 are pending in the present application, with claims 30-32 being independent.

Interview Summary

Applicant's representative would like to thank the Examiner for withdrawing the finality of the previous Office Action, as was discussed in the telephonic interview dated July 8, 2004.

Claim Rejections under 35 U.S.C. §112

The Examiner rejected claims 30-32 under 35 U.S.C. §112, first paragraph, as (a) containing subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor at the time the application was filed had possession of the claimed invention; and (b) as containing subject matter, which was not described in the specification in such a way as to enable one skilled in the art to which it pertains to make/use the invention. This rejection is respectfully traversed.

Specifically, the Examiner alleges on page 3 of the Office Action that the "specification does not explicitly describe nor is sufficiently clear for one of ordinary skill in the art to

recognize the following steps as recited in claims 30-32: '...to **display only layout frames** in a preview area on a display area screen...'," and alleges on page 4 that "undue experimentation and ingenuity would be required beyond one ordinarily skilled in the art to practice the following steps as recited in claims 30-32: 'to **display only layout frames** in a preview area on a display area screen...'."

Applicant respectfully disagrees and notes that the Examiner states on page 3, lines 2-3 of the Office Action that "the description requirement is not met if the application does not expressly or inherently disclose the claimed invention." Applicant once again would like to direct the Examiner's attention to Fig. 8, namely the preview area A17, which clearly shows that only layout frames are displayed in this preview area on the display screen, see also page 20, lines 13-17. Furthermore, referring to Fig. 10a and page 22, lines 11-16 of the present application, it clearly teaches that Fig. 10a shows the initial state in which the data has been stored only in the text area size and the text attribute area.

Thus, the Examiner's assertions that the specification does not explicitly describe, or that one skilled in the art would require undue experimentation and ingenuity to practice the feature of "controlling a display device so as to only display layout frames in the preview area on the display screen," as recited in claim 30, for example, is completely without merit.

Accordingly, withdrawal of the rejection is respectfully requested.

Claim Rejections under 35 U.S.C. §103

The Examiner rejected claims 2, 4, 7, 8, 10, and 30-32 under 35 U.S.C. §103 as being unpatentable over *Flowers Jr. et al.* (US 5,533,174) in view of *Shimizu* (US 6,189,020). This rejection is respectfully traversed insofar as it pertains to the presently pending claims.

Once again, Applicant respectfully submits that *Flowers Jr.* and *Shimizu* contain absolutely no teaching that only layout frames are displayed in a preview area of a display screen, as recited in the independent claims. Thus, the Examiner failed to substantiate a *prima facie* case of obviousness.

To establish a *prima facie* case of obviousness, three basic criteria must be met: (1) there must be some suggestion of motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art to modify the reference or to combine reference teachings; (2) there must be a reasonable expectation of success; and (3) the prior art reference must teach or suggest all the claim limitations, see *In re Vaeck*, 947 F.2d 48, 20 USPQ2d 1438 (Fed.Cir.1991).

Applicant clearly stated in a reply dated February 4, 2004, that:

neither *Flowers Jr.* nor *Shimizu* teach or suggest that only layout frames are displayed in a preview area of a display screen, wherein the layout data represents layout frames that are box-shaped such that each of the frames is able to enclose their respective characters that are represented by the data representing the sizes of characters, as recited in the amended independent claims. (Emphasis Added).

The Examiner, however, failed to address this feature and appears to have disregarded elements of the independent claims, namely that only layout frames are displayed in a preview area of a display screen.

On page 6 of the Office Action, the Examiner alleges that *Flowers Jr.* teaches in Fig. 3b and col. 2, lines 32-33, col. 6, lines 6-23, and col. 9, lines 62-65, a display control means for controlling a display device so as to display frames on a display screen. The Examiner then acknowledges that *Flowers Jr.* does not teach "displaying in a preview area each of the frames [*sic*] are box-shaped such that each of the frames is able to enclose their respective characters that are represented by the data representing the sizes of characters." The Examiner, however, again cites *Shimizu* for support thereof. Specifically, the Examiner alleges that Fig. 6 and col. 11, lines 10-12, col. 12, lines 30-41, and the abstract of *Shimizu* teaches the above recited deficiencies of *Flowers Jr.*

In the previous reply, Applicant clearly indicated, with reference to Fig. 8 and page 20, lines 14-17, of the present application that "it can be readily seen that only layout frames (which enclose their respective characters) are displayed in the preview area A17 of the display screen."

Referring to either *Flowers Jr.* or *Shimizu*, there is absolutely no teaching or suggestion that only layout frames are displayed in a preview area on a display screen such that the layout frames correspond to a size of each character that is included in a character string and such that each of the layout frames are box-shaped so that they are able to enclose their respective characters.

Thus, Applicant respectfully requests that the Examiner clearly indicate how the combination of the cited art supposedly teaches all of the features of the claims, or further the claims to issue.

Dependent claims 2, 4, 7, 8, and 10 should be considered allowable at least for depending from an allowable base claim.

Accordingly, in view of the above discussion, Applicant respectfully requests that the Examiner withdraw the rejection.

Conclusion

In view of the above amendments and remarks, this application appears to be in condition for allowance and the Examiner is, therefore, requested to reexamine the application and pass the claims to issue.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Martin R. Geissler (Reg. No. 51,011) at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

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